



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

November 10, 2021

OFFICE OF THE  
EXECUTIVE SECRETARIAT

Mr. Jason Leopold  
Investigative Reporter  
1669 Benedict Canyon Drive  
Beverly Hills, CA 90210

Dear Mr. Leopold:

The Freedom of Information Act request you filed with the U.S. Environmental Protection Agency on September 5, 2017, seeking communications related to “a September 2, 2017 Associated Press report headlined: “Hurricane Harvey floods toxic waste sites — and the EPA is missing in action.”” was designated EPA-2017-011143. The EPA has located responsive records and released them in response to a separate FOIA request. The records can be found at the following hyperlink:

<https://foiaonline.gov/foiaonline/action/public/submissionDetails?trackingNumber=EPA-HQ-2017-011134&type=request>

Upon review of the records, the EPA determined that portions are exempt from mandatory disclosure pursuant to Exemption 6, which protects unwarranted invasions of personal privacy, and Exemption 5, which protects predecisional and deliberative discussion that would harm agency decision-making if released or protects confidential communications between an attorney and client. The records are released to you with the corresponding redactions.

This is our first interim response and we continue to review records which we will release on a rolling basis. You will receive your appeal rights with the final production. If you have any concerns regarding this response, you may seek dispute-resolution services by contacting the EPA’s FOIA public liaison at [hq.foia@epa.gov](mailto:hq.foia@epa.gov) or (202) 566-1667 or from the Office of Government Information Services. You may contact OGIS with an email to [ogis@nara.gov](mailto:ogis@nara.gov); by calling (202) 741-5770 or (877) 684-6448; with a fax to (202) 741-5769; or by mail to Office of Government Information Services, National Archives and Records Administration, 8610 Adelphi Road, Room 2510, College Park, Maryland 20740-6001.

If you have any questions about this response, please contact me at (202) 564-1439 or [romano.justin@epa.gov](mailto:romano.justin@epa.gov).

Sincerely,

A handwritten signature in cursive script that reads "Justin Romano".

Justin Romano  
Attorney Advisor